

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Afeing Z. S.,

Case No. 18-cv-3139 (WMW/SER)

Petitioner,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

v.

Secretary Homeland Security, William  
Barr,<sup>1</sup> Attorney General; Scott Banieceke,  
ICE Field Office Director; and Kurt Freitag,  
Freeborn County Sheriff,

Defendants.

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This matter is before the Court on the April 25, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Steven E. Rau. (Dkt. 11.) Objections to the R&R have not been filed in the time period permitted. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

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<sup>1</sup> Because a "[public] officer's successor is automatically substituted as a party" and "[l]ater proceedings should be in the substituted party's name," Fed. R. Civ. P. 25(d), Attorney General William Barr is substituted for former Attorney General Jefferson Sessions.

1. The April 25, 2019 R&R, (Dkt. 11), is **ADOPTED**.

2. Petitioner Aefing Z. S.'s petition for a writ of habeas corpus is **DISMISSED**  
**WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 1, 2019

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge